

# WADDINGHAM & PETERSON

A PROFESSIONAL CORPORATION  
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# RECEIVED

JAN 25 2007

WATER RIGHTS  
SALT LAKE

THORPE WADDINGHAM  
(1923-2006)

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January 22, 2007

Kirk Forbush, P.E.  
Regional Engineer  
Utah Division of Water Rights  
P.O. Box 664  
Richfield, UT 84701-0664

Dear Kirk:

The Piute Reservoir and Irrigation Company, as owner of Piute Reservoir, and Abraham Irrigation Company, Central Utah Water Company, Delta Canal Company, Deseret Irrigation Company, and Melville Irrigation Company, as the owners of Sevier Bridge Reservoir, recently completed court proceedings in which new capacity tables for Piute Reservoir were adopted by the District Court for Millard County.

You are probably aware of the provisions in the Cox Decree at pages 187-188 providing for resurvey. Piute Reservoir and Irrigation Company took advantage of the low water during 2004 to obtain a resurvey of Piute Reservoir. Piute intended to account for the changes in reservoir volume resulting from the dam safety rehabilitation project on Piute dam and siltation with the reservoir basin since the last survey approved in 1963.

The following documents, copies of which are enclosed, were developed as part of those proceedings:

1. Stipulation dated January 17, 2007 setting the parameters for approval of the Revised Piute Reservoir Capacity Tables, identifying the staff gauge to be used by the river commissioner for determining capacity of Piute Reservoir, and approval of the January 9, 2007 survey identifying the benchmarks for the staff gauge.
2. Revised Piute Reservoir Capacity Tables
3. Record of Survey by Douglas B. Grimshaw and Douglas G. Magleby dated January 9, 2007.
4. Order and Decree dated January 17, 2007 approving the Revised Piute Reservoir Capacity Tables, directing use of the staff gauge for determining reservoir capacity, and adopting the January 9, 2007 Record of Survey.

Kirk Forbush  
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The Stipulation and the Order and Decree each have a number of attachments. The attachments to the Stipulation are a copy of the 1963 Order and Decree, the January, 2005 letter from Piute Reservoir and Irrigation Company to the owners of Sevier Bridge Reservoir regarding the 2004 survey, the Revised Piute Reservoir Capacity Tables, a copy of the Record of Survey, and a copy of the proposed Order and Decree. The enclosed copy of the Stipulation does not include the capacity tables, survey, or decree since they are all part of the decree. The decree has the Revised Piute Reservoir Capacity Tables and the Record of Survey attached to it.

The Record of Survey has also been recorded in the office of the Piute County Recorder.

We request that these documents be made a part of the Utah Division of Water Rights records. We have provided copies of all of the enclosed documents to Jim Walker and Ray Owens, the river commissioners.

Please let me know if you have any questions regarding these documents or the Order and Decree.

Sincerely yours,

WADDINGHAM & PETERSON, P.C.

A handwritten signature in black ink, appearing to read "Warren H. Peterson", written over the printed name below.

Warren H. Peterson

WHP/lh

Enclosures

cc Xee Sim  
Ray Owens  
Jim Walker